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Attorney's Docket No. 5718-34 (35718/174234)

PATENT  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Mahajan et al.  
Appl. No.: 09/236,995 Group Art Unit: 1638  
Filed: January 26, 1999 Examiner: O. Zaghmout  
For: POLY ADP-RIBOSE POLYMERASE GENE AND ITS USES

June 28, 2001

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR  
AMINO ACID SEQUENCE DISCLOSURES**

Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures dated June 5, 2001, Applicant hereby submits a substitute computer readable form (CRF) copy of the "Sequence Listing" and a substitute paper copy of the "Sequence Listing", to replace the ones previously filed on January 26, 1999, and October 9, 2000.

SEQ ID NOS: 1 and 2 of the substitute sequence listing have been amended to define the nucleotide feature "n" as "A, T, C, or G", and the amino acid feature "Xaa" as "unknown". The substitute sequence listing has also been amended to identify the location of these features in the sequence. It is submitted that the amendments, made in accordance with 37 C.F.R. §1.825(a), included in the substitute sheets of the sequence listing, do not include new matter.

I hereby state that the substitute copy of the computer-readable form, submitted in accordance with 37 C.F.R. §1.825(b), is the same as the amended sequence listing.

In re: Mahajan et al.  
Appl. No. 09/236,995  
Filed: January 26, 1999  
Page 2

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Respectfully submitted,

*Kathryn L Coulter*

Kathryn L. Coulter  
Agent for Applicant  
Registration No. 45,889

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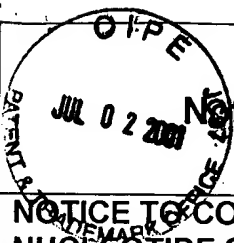
862.2200

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Washington, DC 20231, on June 28, 2001.

*Wendy Wagner*  
Wendy Wagner

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## Notice to Comply

Application No.

09/236,995

Examiner

Lisa J. Gansheroff

Applicant(s)

MAHAJAN ET AL.

Art Unit

1636

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☒ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

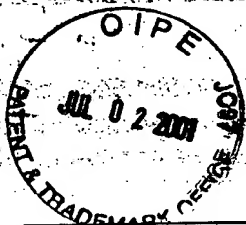
For CRF Submission Help, call (703) 308-4212

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Washington, D.C. 20231

*Ch*

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/236,995 01/26/99 MAHAJAN

P 5718-34

027310 HM22/0605  
PIONEER HI-BRED INTERNATIONAL INC.  
7100 N.W. 82ND AVENUE  
P.O. BOX 1000  
JOHNSTON IA 50131

EXAMINER
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GANSHEROFF, L

ART UNIT	PAPER NUMBER
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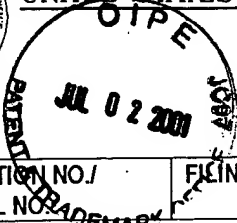
Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

MAHAJAN & BRED  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT PAPER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents

09/236995

The communication filed 13 October 2000 is not fully responsive to the Office communication mailed 25 September 2000 for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules or CRF Diskette Problem Report. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

Since the reply appears to be *bona fide* attempt to comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825), applicant is given a TIME PERIOD of **ONE (1) MONTH** from the mailing date of this communication within which to correct the deficiency so as to comply with the sequence rules (37 CFR 1.821 - 1.825) in order to avoid abandonment of the application under 37 CFR 1.821(g). EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Lisa Gansheroff, Art Unit 1636, whose telephone number is (703) 605-1203.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

  
JAMES KETTER  
PRIMARY EXAMINER